

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: HOTEL TVPRA LITIGATION )  
 ) CHIEF JUDGE ALGENON L.  
 ) MARBLEY  
 )  
 ) MAGISTRATE JUDGE ELIZABETH  
 ) PRESTON DEAVERS

**THIS DOCUMENT RELATES TO:**

**K.W.** 2:22-cv-3485, **C.B.** 2:22-cv-3722., **A.Y.S.** 2:22-cv-3767, **A.Y.** 2:22-cv-3768, **K.L.** 2:22-cv-3769., **R.C.C.** 2:22-cv-3770, **N.B.** , 2:22-cv-3771, **K.R.L.** 2:22-cv-3773, **R.H.** 2:22-cv-3774, **J.B.** 2:22-cv-3776, **H.S.** 2:22-cv-3778, **R.K.** 2:22-cv-3782, **R.Z.** 2:22-cv-3784, **D.K.** 2:22-cv-3786., **K.D.** 2:22-cv-3787, **G.M.** 2:22-cv-3788, **A.M.** 2:22-cv-3797, **K.F.** 2:22-cv-3829, **D.T.** 2:22-cv-3844, **A.S.** 2:22-cv-3846

**DEFENDANT RED ROOF INNS, INC.'S AND RED ROOF FRANCHISING LLC,'S  
UNOPPOSED MOTION EXTENSION FOR TIME TO RESPOND**

Defendants Red Roof Inns, Inc. and Red Roof Franchising, LLC (“RRI Defendants”) by and through the undersigned counsel, hereby move this Court to enter an order extending RRI Defendants’ deadline to respond to Plaintiffs’ Complaints in the 20 cases the Court recently published Orders denying the RRI Defendants’ Motions to Dismiss. In support, RRI Defendants state:

1. On March 28 and March 29, 2024, this Court denied the Red Roof Inn Defendants’ Motions to Dismiss in the following 20 cases: **K.W.** 2:22-cv-3485, **C.B.** 2:22-cv-3722., **A.Y.S.** 2:22-cv-3767, **A.Y.** 2:22-cv-3768, **K.L.** 2:22-cv-3769., **R.C.C.** 2:22-cv-3770, **N.B.** , 2:22-cv-3771, **K.R.L.** 2:22-cv-3773, **R.H.** 2:22-cv-3774, **J.B.** 2:22-cv-3776, **H.S.** 2:22-cv-3778, **R.K.** 2:22-cv-3782, **R.Z.** 2:22-cv-3784, **D.K.** 2:22-cv-3786., **K.D.** 2:22-cv-3787, **G.M.** 2:22-cv-3788, **A.M.** 2:22-cv-3797, **K.F.** 2:22-cv-3829, **D.T.** 2:22-cv-3844, **A.S.** 2:22-cv-3846.

2. Pursuant to Federal Rule of Civil Procedure 12(a)(4)(A), Red Roof Inns, Inc.’s and Red Roof Franchising, LLC’s Answers to Plaintiffs’ Complaint in these 20 cases are due April 11,

2024, or April 12, 2024 respectively. These Complaints are over 100 Paragraphs, making the drafting and filing of 40 responsive pleadings in this short timeframe difficult.

3. RRI Defendants request an extension of twenty-one (21) days, through and including **May 2, 2024**, to file their responsive pleading to Plaintiffs' Complaint.<sup>1</sup>

4. Counsel for RRI Defendants conferred with Plaintiffs' counsel, who does not oppose the requested extension.<sup>2</sup>

5. Pursuant to Local Rule 6.1(a), despite having Plaintiffs' counsel's consent for an extension, the Red Roof Inn Defendants file this Motion because they previously filed a stipulated extension of time to respond Plaintiffs' Complaint in May, 2023.

6. Therefore, the Red Roof Inn Defendants respectfully request this Court approve this extension to allow a more feasible timeframe to prepare responsive pleadings.

7. This motion is made in good faith and not for purposes of delay. Further, no party is prejudiced by this extension, especially given Plaintiffs' consent and the limited discovery in these cases pending the JPML's resolution of Plaintiffs' pending Motion.<sup>3</sup>

8. A proposed order has been submitted for the convenience of the Court.

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<sup>1</sup> Although the Court's Orders were published on two separate days, the Red Roof Inn Defendants propose having one responsive pleading deadline for these 20 cases to avoid confusion.

<sup>2</sup> The Babin Law Firm is lead counsel in 19 of the 20 cases at issue in this Motion and gave their consent to this extension. The Levin Papantonio firm is lead counsel in the A.S. case and also gave their consent to this extension.

<sup>3</sup> On March 4, 2024, this Court entered an order denying Plaintiffs' Motion to Stay but limited discovery in 35 TVPRA cases pending in the Southern District of Ohio "for the sake of efficiency for the Parties, and judicial economy, pending resolution of the Motion currently before the JPML." The same reasoning also applies here given the JPML's resolution of Plaintiffs' pending Motion could impact numerous issues relevant to The Red Roof Inn Defendants' responsive pleadings.

Respectfully submitted this 3rd day of April, 2024.

Respectfully submitted,

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*Attorneys for Defendants Red Roof Inns, Inc.  
and Red Roof Franchising, LLC*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 3<sup>rd</sup> day of April 2024, *Defendants Red Roof Inns, Inc. and Red Roof Franchising, LLC's Unopposed Motion for Extension of Time to Respond* was filed electronically. Service of this filing will be made pursuant to Civ. R. 5(b)(2)(e) and Civ. R. 5(B)(3) by operation of this Court's electronic filing system. Parties may access the filing through the Court's system.

/s/ Chelsea Mikula

Chelsea Mikula

*One of the Attorneys for Defendants Red Roof Inns, Inc. and Red Roof Franchising, LLC*